

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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THE ESTATE OF YARON UNGAR by and through its  
Administrator, DAVID STRACHMAN; DVIR UNGAR,  
minor, by his guardians and next friends, YISHAI  
UNGAR, minor, by his guardians and next friends,  
PROFESSOR MEIR UNGAR, JUDITH UNGAR,  
individually and in their capacity as legal guardians of  
Plaintiffs DVIR UNGAR and YISHAI UNGAR; RABBI  
URI DASBERG, and JUDITH DASBERG, in their  
capacity as legal guardians of Plaintiffs DVIR UNGAR  
and YISHAI UNGAR; AMICHAH UNGAR; DAFNA  
UNGAR; and MICHAL COHEN,

Civil Action No. 05-CV-7765  
(CM)(LMS)

Plaintiffs,

-against-

ORASCOM TELECOM HOLDING S.A.E(a/k/a  
"Orascom Telecom" a/k/a "OTH") and THE  
PALESTINE INVESTMENT FUND (a/k/a "Palestinian  
Investment Fund" a/k/a "Sharekat Sundouk al-Istithmar  
al-Filistinee")

Defendants.

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**SUPPLEMENTAL DECLARATION OF THOMAS G. ROHBACK IN SUPPORT OF  
LEBOEUF LAMB GREENE & MACRAE LLP'S MOTION TO INTERVENE**

STATE OF NEW YORK )

:ss

COUNTY OF NEW YORK )

Thomas G. Rohback, being duly sworn, deposes and says:

1. I am a member of the Bar of the State of New York and a member of the law firm  
of LeBoeuf, Lamb, Greene & MacRae LLP ("LeBoeuf").

2. I submit this Supplemental Declaration in further support of LeBoeuf's Motion to  
Intervene in the above-referenced action.

3. In the First Amended Complaint dated January 19, 2006, signed by Robert Tolchin, the Ungars have alleged that "THE PALESTINE INVESTMENT FUND has no legal existence separate from judgment-debtor PA." First Amended Complaint, ¶4. A true and correct copy of the First Amended Complaint is attached hereto as Exhibit A.

4. Further, the Ungars allege that "any separate legal personality and/or corporate identity formally or nominally enjoyed and/or claimed by any of the Aliases and Shell Funds is artificial and/or fraudulent and so not legally cognizable." Id., ¶52.

5. In addition the Ungars allege "none of the Aliases and Shell Funds, whether or not they have cognizable legal personality or corporate identity separate from the PA, own any property or assets of their own." Id., ¶59.

6. On or about October 24, 2006, the same counsel, Robert Tolchin, who signed the First Amended Complaint pursuant to Rule 11 alleging that the Palestine Investment Fund ("PIF") has no legal existence and no assets, filed a Notice of Appearance and Answer on behalf of the PIF. A true and correct copy of the Answer is attached hereto as Exhibit B.

7. In this Answer, filed pursuant to Rule 11 on behalf of the PIF, Mr. Tolchin has admitted that the entity he purports to represent has no legal existence and no assets. See Answer, ¶¶ 4, 52, 59.

8. Beyond the anomaly of a lawyer purporting to represent both a plaintiff and defendant in the same action, it is submitted that an attorney cannot properly sign a pleading which denies the existence of the entity he purports to represent.

I do solemnly declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 27th day of October, 2006 at New York, New York.



Thomas G. Rohback

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